Docket No. 2119-4268 (CL1792 USNA)

ENT AND TRADEMARK OFFICE IN THE UNITED STAT

David Hallahan Applicant(s):

> Group Art Unit: 1652

Serial No.:

10/036,959

Examiner:

Kathleen Kerr

Filed:

01/02/2002

For:

Polynucleotides Encoding an Acetyl-CoA Acetyltransferase from Hevea brasiliensis,

Related Products, and Methods

since it is being filed in compliance with:

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir: This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching. For each of the following items listed on the enclosed copy of Form PTO-1449 that is 1. | | not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed: For each of the following items listed on the enclosed copy of Form PTO-1449 that is 2. not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not 3. enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement \boxtimes

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			37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or	
			37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or	
			37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or	
			37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.	
5.		No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specin paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by on the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.		
it is being filed in compliance with 37 C.F.R. paragraph 4 above but before the mailing date		it is be paragr	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with 37 C.F.R. §1.97(c), after the period specified in aph 4 above but before the mailing date of a final action or a notice of since (where there has been no prior final action):	
			A check in the amount of \$180.00 is enclosed in payment of the fee.	
			Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.	
7.		it is be action	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final or a notice of allowance, whichever comes first, but before payment of the issue id is accompanied by:	
			ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and	
			e fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 elow.	
8.		This Information Disclosure Statement is being filed in compliance with:		
		a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);	
		b. 🗌	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the	

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eation From Issue and fee pursuant to 37

			C.F.R. §1.17(h).	tnaraw	Application From Issue and fee pursuant to 37			
		c. 🗌	The fee due under 37 C. below.	.F.R. §	§1.17(h) is paid as set forth in paragraph 11			
9.		I hereby certify that each item of information contained in this Information Disclo Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of th Information Disclosure Statement.						
		I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.						
10.		This document is accompanied by _ a Search Report _ Communication which was cited in a corresponding _ PCT or _ Foreign counterpart application						
11.			k in the amount of \$ §§1.17(h) and 1.17(p).	nclosed in payment of the fees due under 37				
		Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.						
	X	The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>2119-4268</u> . A DUPLICATE COPY OF THIS SHEET IS ATTACHED.						
					Respectfully submitted, MORGAN & FINNEGAN, L.L.P.			
Dated: <u>April 19, 2005</u>				By:	Michael A. Willis Registration No. 53,913			
Corr	espor	ndence A	Address:		10gistiation 110. <u>55,515</u>			
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attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h). c. 🔲 The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 9. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 10. \square This document is accompanied by \square a Search Report \square Communication which was cited in a corresponding PCT or Foreign counterpart application 11. A check in the amount of \$ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p). Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. A DUPLICATE COPY OF THIS SHEET IS ATTACHED. \times The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2119-4268. A DUPLICATE COPY OF THIS SHEET IS ATTACHED. Respectfully submitted, MORGAN & FINNEGAN, L.L.P. Dated: April 19, 2005 By: Michael A. Willis Registration No. 53,913 Correspondence Address: MORGAN & FINNEGAN, L.L.P. Three World Financial Center New York, NY 10281-2101 (212) 415-8700 Telephone (212) 415-8701 Facsimile

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Attorney Docket:	Serial No.:	
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Applicant:		
David L. Hallahan		
Filing Date:	Group Art Unit:	
	1 1	

INFORMATION DISCLOSURE CITATION 1/02/2002 1652 **U.S. PATENT DOCUMENTS** Examiner Sub-Initial **Patent Number Issue Date** Name Class Class Filing Date FOREIGN PATENT DOCUMENTS Examiner Publication Sub-Initial Patent Number Date Country Class Class Translation ☐ Yes ☐ No ☐ Yes ☐ No OTHER DOCUMENTS (Including Author, Title, Date, etc.) Kyte, J. and Doolittle, R.F., "A Simple Method for Displaying the Hydropathic Character of a Protein," J. Mol. Biol., vol. 157, p. 105-132, 1982. Mathieu, M., et al, "The 2.8A crystal structure of peroxisomal 3-ketoacyl-CoA thiolase of Saccharomyces cervisiae: a five-layered αβαβα structure constructed from two core domains of identical topology," Structure, vol. 2, no. 9, p. 797-808, 1994. Weber, T. et al, "Conversion of acetyl-coenzyme A into 3-hydroxy-3-methylglutaryl-coenzyme A in radish seedlings. Evidence of a single monomeric protein catalyzing a Fell/quinone-stimulated double condensation raction," Biochimica et Biophysica Acta, vol. 1211, p. 85-96, 1994.

Examiner Date Considered

EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.